

to be used for all correspondence after initial filing)



# FREE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/823,977            |
| Filing Date          | April 13, 2004        |
| First Named Inventor | Christopher J. Diorio |
| Examiner Name        | Unknown               |
| Art Unit             | 2635                  |
| Attorney Docket No.  | 6928P001              |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None  
☒ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

### 2. EXTRA CLAIM FEES

Total Claims  - 20\*\* =  X  =   
Independent Claims  - 3 =  X  =   
Multiple Dependent  =

| Large Entity |          | Small Entity |          | Fee Description                                           | Fee Paid |
|--------------|----------|--------------|----------|-----------------------------------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                                           |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |          |
| 1203         | 290      | 2203         | 145      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |                                                           | (\$)     |

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity        |          | Small Entity |          | Fee Description                                                            | Fee Paid |
|---------------------|----------|--------------|----------|----------------------------------------------------------------------------|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                                                                            |          |
| 1051                | 130      | 2051         | 65       | Surcharge - late filing fee or oath                                        |          |
| 1052                | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053                | 130      | 2053         | 130      | Non-English specification                                                  |          |
| 1812                | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253                | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254                | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255                | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1404                | 330      | 2401         | 165      | Notice of Appeal                                                           |          |
| 1402                | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403                | 290      | 2403         | 145      | Request for oral hearing                                                   |          |
| 1451                | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                | 110      | 2452         | 55       | Petition to revive - unavoidable                                           |          |
| 1453                | 1,330    | 2453         | 665      | Petition to revive - unintentional                                         |          |
| 1501                | 1,330    | 2501         | 665      | Utility issue fee (or reissue)                                             |          |
| 1502                | 480      | 2502         | 240      | Design issue fee                                                           |          |
| 1503                | 640      | 2503         | 320      | Plant issue fee                                                            |          |
| 1460                | 130      | 2460         | 130      | Petitions to the Commissioner                                              |          |
| 1807                | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)                                        |          |
| 1806                | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                | 770      | 1809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802                | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |                                                                            |          |

\* Reduced by Basic Filing Fee Paid

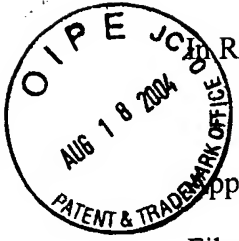
SUBTOTAL (3) (\$)

## SUBMITTED BY

## Complete (if applicable)

|                   |                 |                                   |        |           |                |
|-------------------|-----------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | André L. Marais | Registration No. (Attorney/Agent) | 48,095 | Telephone | (408) 947-8200 |
| Signature         |                 |                                   |        | Date      | 08/16/04       |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re the Application of:

CHRISTOPHER J. DIORIO, ET AL.

Application No.: 10/823,977

Filed: April 13, 2004

For: **Method and System to Backscatter  
Modulate a Radio-Frequency Signal From  
an RFID Tag in Accordance with Both an  
Oscillation Frequency Signal and a  
Command Signal**

Art Group: 2635

Examiner: Unknown

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

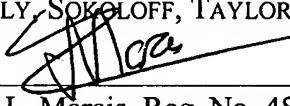
The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 08/16/04

  
\_\_\_\_\_  
André L. Marais, Reg. No. 48,095

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 8/16/04  
\_\_\_\_\_  
Geneva Walls Date

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

|                      |                |
|----------------------|----------------|
| Application Number   | 10/823,977     |
| Filing Date          | April 13, 2004 |
| First Named Inventor | Gutnik, Vadim  |
| Group Art Unit       | 2635           |
| Examiner Name        | Unknown        |

Sheet 1 of 1

Attorney Docket No: 6928P001

**US PATENT DOCUMENTS**

| Examiner Initial * | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Class | Subclass | Filing Date If Appropriate |
|--------------------|---------------------|------------------|-------------------------------------------------|-------|----------|----------------------------|
|                    | US-20020167405      | 11/14/2002       | Shanks, Wayne E., et al.                        |       |          | 02/12/2002                 |
|                    | US-3,938,316        | 02/17/1976       | Morokawa, Shigeru , et al.                      |       |          | 02/06/1974                 |
|                    | US-4,454,483        | 06/12/1984       | Baylor, John T.                                 |       |          | 03/25/1982                 |
|                    | US-5,117,756        | 06/02/1992       | Goffin, II, Glen P., et al.                     |       |          | 09/20/1990                 |
|                    | US-5,583,819        | 12/10/1996       | Roesner, Bruce B., et al.                       |       |          | 01/27/1995                 |
|                    | US-5,649,295        | 07/15/1997       | Shober, R A., et al.                            |       |          | 06/19/1995                 |
|                    | US-5,867,535        | 02/02/1999       | Phillips, William C., et al.                    |       |          | 08/31/1995                 |
|                    | US-5,912,632        | 06/15/1999       | Dieska, David E., et al.                        |       |          | 01/08/1997                 |
|                    | US-6,046,683        | 04/04/2000       | Pidwerbetsky, Alex , et al.                     |       |          | 12/31/1996                 |
|                    | US-6,243,013        | 06/05/2001       | Duan, Dah W., et al.                            |       |          | 01/08/1999                 |
|                    | US-6,356,161        | 03/12/2002       | Nolan, James B., et al.                         |       |          | 04/26/1999                 |
|                    | US-6,388,532        | 05/14/2002       | Babcock, David J.                               |       |          | 02/15/2000                 |
|                    | US-6,404,325        | 06/11/2002       | Heinrich, Harley K., et al.                     |       |          | 06/11/1999                 |
|                    | US-6,472,943        | 10/29/2002       | Soong, Anthony C., et al.                       |       |          | 04/13/2001                 |
|                    | US-6,639,509        | 10/28/2003       | Martinez, Rene D.                               |       |          | 09/07/1999                 |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Foreign Document No | Publication Date | Name of Patentee or Applicant of cited Document | Class | Subclass | T <sup>2</sup> |
|--------------------|---------------------|------------------|-------------------------------------------------|-------|----------|----------------|
|                    | WO-02065380         | 08/22/2002       | Arneson, Michael R.                             |       |          |                |

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>4</sup> |
|--------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|                    |                      | FINKENZELLER, KLAUS , "Fundamental Operation Principles", <u>RFID Handbook: Fundamentals and Applications in Contactless Smart Cards and Identifications</u> , John Wiley & Sons, Ltd ISBN: 0-470-84402-7, (2003), pp. 29-59                                    |                |

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached